



CALPEEK

CALIFORNIA POLITICAL WEEK

P.O. BOX 1468, BEVERLY HILLS, CA 90213 (213) 659-0205
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VOL. XII
No. 36

OCT 1, 1990

KEY PARTS OF PROP. 73 OVERTURNED BY JUDGE.

If a ruling by U.S. District Judge Lawrence Karlton of Sacto stands, then it's back to the good old days in terms of financing political campaigns, with no restrictions on the amount of money that can be given and no more bans on transfers of money from one candidate to another. Karlton's ruling on Sept. 25 struck down two provisions of Prop. 73 which prohibited transfers and limited contributions. However, Karlton's ruling did NOT invalidate Prop. 73's ban on public financing of elections, meaning Prop. 68 might still be DOA. However, that is a subject which is in dispute. Many CALPEEK sources also are confused because the FPPC says the ruling only applies to State-wide candidates and NOT to those candidates running for State Senate and Assembly. CALPEEK sources are sure Karlton's ruling will be appealed. Stay tuned...

CAMPAIGN 1990: HERE'S WHAT IT LOOKS LIKE IN CALIF. WITH MORE THAN FIVE WEEKS TO GO.

Editor's note: If you believe the pundits, then voters are REALLY TURNED OFF to politics in general and to this Nov. 6 election specifically. Reasons: war fever in the Mideast and an uncertain feeling about the U.S. economy, combined with increasing complaints about government's inability to make a difference. It is against this background that CALPEEK updates the key State-wide contests with a brief analysis:

- GOVERNOR - The polling data in this top race is inconclusive. Some data puts former S.F. Mayor Dianne Feinstein(D) ahead of U.S. Sen. Pete Wilson(R), while other polls show the opposite. The best guess is the race is EVEN. In the battle of the TV spots, DiFi's multi-image death penalty ad is the best 30-second spot since "The Grabber" aired during the primary. In terms of MONEY, Wilson is loaded. But DiFi's camp, even before the recent Karlton ruling on

#73, claimed to be on target with its fund-raising goal. If Karlton's ruling is upheld, Feinstein hubby Dick Blum can throw in whatever he wants and the polling shows there's no problem. As for Prop. 128 (Big Green), it's a WASH because it helps and hurts both. Bottomline: many CALPEEK sources believe the two DEATES will determine who will be Calif.'s next governor...

- THE DEMO INCUMBENTS - Lt. Governor Leo McCarthy and Secretary of State March Fong Eu could be in some trouble because of the Prop. 73 ruling. Both GOP State Sen. Marian Bergeson, the LG candidate, and L.A. Councilwoman Joan Flores, the SoS candidate, may have had money for a late TV charge at the end, but with Karlton's ruling, more money is certain to flow their way. Depending on what the legal experts say, Bergeson and Flores could be on TV very soon, pounding away. As for incumbent Demo Controller Gray Davis, he's sitting on a huge warchest and GOP challenger Matthew Fong has yet to make a major splash. Maybe that will change. What might end up saving LMc and Eu is the CHOICE issue...

- TREASURER - Here incumbent GOP State Tres. Tom Hayes is fighting for survival against Kathleen Brown(D). Why Hayes would want to debate Brown is a mystery, because in last week's confrontation on KABC-Radio, Brown cleaned house on one point after another. Yes, Hayes had a response for each charge, but his answers didn't come off as crisp as Brown's accusations. Again, MONEY might be a key and here for the moment Brown has a big edge with a \$1 million-plus warchest. Karlton's ruling probably helps both. On the other hand, Brown must still worry about the one factor she has no control over: voters' memory of her brother, former Demo Gov. Jerry Brown...

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● THE AG's RACE - If there's an election that Calif. Demos are REALLY WORRIED about, it's this one between S.F. DA Arlo Smith(D) and former U.S. Rep. Dan Lungren(R). Lungren bashed Smith with an early and hard hitting ad, which the Smith campaign didn't respond to. They didn't have the bucks, although campaign sources told CALPEEK several weeks ago Smith had COMMITMENTS of \$1.8 million. Well, commitments are only slightly better than junk bonds. If it were not for a COALITION of ethnic, environmental, labor, law enforcement and women's groups coming to Smith's rescue, his campaign would be all but finished. As for the Karlton ruling, more money should flow into each campaign, with perhaps a slight edge to Smith. Bottomline: CHOICE and the environment work to Smith's advantage for the time being. Stay tuned...

CAMPAIGN 1990: 5 ENVIRONMENTAL MEASURES.

Editor's note: Here is Part III in our continuing series of reports about the major initiatives facing Calif. voters on Nov. 6. This week: Props. 128, 130, 132, 135 and 138, the measures dealing with the ENVIRONMENT....

...When it comes to these five environmental measures, many CALPEEK sources admit confusion. And if they're confused, what does this say about the average Calif. voter??? Combine the confusion with the doubts about the U.S. economy and the high costs of implementing some of these proposals, and it could spell TROUBLE...

● #128 - This is the initiative which takes up 6 pages in the Voters Pamphlet. Supporters call #128 "Big Green," while the opponents call it "The Hayden Initiative," after Assemblyman Tom Hayden(D), one of the key authors. Just after the June primary, the polling data looked excellent for Big Green. But as voters head into the last month, there are growing doubts among some insiders that #128's numbers will continue to hold...

...Why is the battle getting close? Opponents have hit on 3 weaknesses: the measure is VERY COMPLEX and perhaps covers too much ground; implementing #128 will be costly; and voters' negative reaction to Hayden. Of these weaknesses, the COST could be the critical factor. Even #128's supporters admit Big Green won't be cheap. Bottom-

line: edge to the YES side, for now. Polling shows Big Green with 58% YES, 26% NO and 16% undecided...

● #130 & #138 - These are the two proposals dealing with forests and logging. Although voters in So. Calif. will probably decide the fate of Calif.'s timber industry, few L.A., San Diego or Orange County voters have any idea of what clear cutting or sustained yield means. What is likely to emerge, therefore, is a very simplified series of claims and counter-claims on whether the logging industry is wiping out the old redwood forests along the coast in No. Calif...

...Another fact also will become evident: over a 20 year period, #130 will cost \$1.3 billion, while #138 will cost \$535 million. Hefty, no matter which side wins...

...Is there anything which may sway voters? Yes. San Mateo businessman Harold Arbit, who gave nearly \$1 million to get #130 on the ballot, may become an issue. Arbit is an investment adviser who has holdings in out-of-state timber companies. If Calif.'s timber industry is crippled by #130, as some say it will, then timber companies in Washington and Oregon may benefit. Another problem facing Forest Forever(#130) is a group called "Earth First." They are not exactly your tame, reasonable group of tree huggers. These are the people who have been accused by the NO side of #130 of disrupting logging operations...

...Since #130 and #138 are competing measures, the one getting the most votes will take effect. Polling shows #130 with 61% in favor, 28% opposed and 11% undecided. The YES side of #138 has polling numbers which show 59% in favor, 27% opposed and 14% undecided. Bottomline: TV ads plus news media editorial support will be the keys to victory. Prop. #130's first TV ad in the L.A. market is TERRIFIC. Nothing yet from #138...

● #132 - On the surface, this initiative drafted by GOP Assemblywoman Doris Allen of Cypress has a ballot title that ought to make this measure banning gillnet fishing in the Marine Protection Zones a sure winner. But wait. There is opposition, who say that Allen's measure jumped the gun on discussions now going on in Sacto to reach

a compromise solution which will benefit all parties. Bottomline: like #130, the key to victory on #132 is with the editorial page editors...

- #135 - This is the industry's answer (or counter measure) to those parts of #128 that deal with food safety and pesticides. The YES on #135 side often is confused with the NO on #128 side. There is some overlapping in terms of support, but the 2 props are being run by different committees. The industry's approach is to keep food testing under the Dept. of Food & Ag (whereas #128 would transfer food & pesticide testing to the Dept. of Health Services). There's a dispute over which measure does more testing of pesticides. Another conflict involves an elected environmental czar (#128) vs. #135's call for a state-appointed advocate to oversee pesticide testing...

...However, #135 supporters may have hit on an idea that has mass appeal in So. Calif. Prop. 135 calls for doubling the production of sterile Medflies - as an alternative to aerial spraying of malathion. Bottomline: polling shows #135 winning by a margin of 61% YES to 20% NO, with 19% undecided. Again, editorials may play a key role in determining the outcome. Stay tuned...

SEN. ROSENTHAL AT L.A. CURRENT AFFAIRS.

State Sen. Herschel Rosenthal(D-L.A.) and L.A. Times political columnist Bill Boyarsky will address members of the L.A. Current Affairs Forum, 6 p.m. reception, 7 p.m. dinner, Oct. 15, Beverly Plaza Hotel, L.A. For info & RSVPs, contact Emma Schaffer at (213)445-8862...

WALLACK'S MILK CARTON STRATEGY MAY WORK.

It's an uphill fight, but Dist. #1 BOE candidate Jeff Wallack(R) is sure getting some good press in his MIA "milk carton" attack on 72-year-old incumbent Demo BOE member William Bennett. Wallack pasted photos of Bennett on some milk cartons and blasted Bennett for missing BOE meetings. Bennett missed ALL meetings in July and August, but did show up for the Sept. 11 session. However, he missed the afternoon BOE meeting on Sept. 12. Wallack has been hitting Bennett with these charges and there is some indication the strategy is working. Question: wasn't the AG's office investigating some allegations which first surfaced in May that Bennett's expense reports were NOT in order? What's the delay, Vdk???

CAMPAIGN 1990: MORE LEGISLATIVE CONTESTS.

Editor's note: Here is Part IV of our continuing series on key legislative races. This week CALPEEK focuses on the 72nd and 78th A.D. races. As CALPEEK went to press, few insiders were sure how Karlton's ruling on Prop. #73 would impact these contests, especially since the FPPC said the ruling didn't apply to legislative campaigns...

- 72nd A.D. - This is the Orange County district of GOP freshman Curt Pringle of Garden Grove. Not only is he the top target of Assembly Speaker Willie Brown, but he is also on the Nat'l Abortion Rights Action League's hit parade. Pringle's Demo opponent is former Asst. U.S. Atty. Tom Umberg. Pringle won this seat two years ago by a scant 843 votes over Rick Thierbach, another law & order Demo. CALPEEK sources believe Thierbach would have won had he just walked some precincts. This is a problem that doesn't plague Umberg. He's a walking machine, as his Demo primary rival, Jerry Yudelson, discovered...

...Registration might seem to favor a Demo recapturing this seat. The 72nd A.D. has a 52.4% Demo registration, compared to 38.5% for the GOP. However, the district's GOP voters traditionally turn out in greater numbers than Demos. It's also a district that has seen some tensions between the conservative White community and the new Hispanic and Asian Americans. Which brings up the infamous "Polling Guard" controversy...

...Pringle supporters posted uniformed security guards in front of several polling stations in the 1988 election. This tactic was blasted by Republicans and Demos alike and a civil action awarded a hefty settlement to some Hispanic voters who claimed to have been intimidated. Do Hispanics remember the incident? Pringle's campaign says NO, but Umberg will undoubtedly bring the subject up before Nov. 6th...

...In terms of MONEY, Umberg does have an edge for now. He's even sent out a few mailers to the district. One mailer, which was sent by the Calif. Demo Party for Umberg, called for a constitutional amendment to ban flag burning. Umberg is playing up the God & Country stuff because it sells in the 72nd A.D. He's also a Major in the U.S. Army Reserve, and yes, the campaign noted this too...

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...Bottomline: it may be too early to tell which way the political wind is blowing, but it is NOT going to be easy to defeat Pringle, even with a guy like Umberg. And Umberg does have a big problem: he moved into the district to run. Pringle is a homegrown product all the way...

- 78th A.D. - This San Diego County A.D. used to belong to Demo Lucy Killea, now in the State senate. But in June, Republican Jeff Marston pulled a major upset and beat former San Diego Councilman Mike Gotch. Right now Gotch is "Mr. Invisible," with NO campaign HQ of his own, NO precinct walking and NO debates. Last week the campaign cancelled \$250,000 worth of TV spots (reservations). What does it all mean???

...Marston's campaign team of John Kern and Sara Katz aren't sure yet, but they aren't taking any chances. They have stepped up fundraising and GOTV efforts. As Kern noted, "All warfare is based on deception." With the Demos wanting to recapture this seat, an "October Surprise" can't be ruled out. Stay tuned...

CAMPAIGN 1990: 5th S.D. SPECIAL ELECTION.

Editor's note: Filing for this special election to replace former State Sen. John Garamendi (D-Stockton) closed last week. Here is a rundown on who is in the race...

...Elmer Brown (R) from Sacramento; John Holbrook (R), a muni employee from Manteca; Dr. Robert Westafer (R), an MD from Stockton; Michael Dell'Orto (R) from Mokolumne Hill; and Phil Wallace (R), chairman of the San Joaquin Co. GOP Central Committee, from Stockton...

...Patricia Garamendi (D) of Stockton; Ernie Gianecchini (D) of San Joaquin Co.; Estella Carrillo (D) of Plymouth; and Assemblyman Patrick Johnston (D) of Stockton. Also signed up to run is Libertarian Thomas Tryon of Angels Camp...

...Republican Richard Gann, son of the late Paul Gann, decided NOT to seek the GOP nomination. Of the Republicans in the primary, it is thought that Wallace is the guy with political clout and an ability to raise a warchest. He has already hired the Sacto campaign firm of Huckaby & Rodriguez...

CALPEEK'S ROSENGARTEN TO ADDRESS 5 GROUPS.

CALPEEK co-publisher Dick Rosengarten will be on the stump, beginning Oct. 3, giving predictions & forecasts of the upcoming election. Oct. 3 Rosengarten will address Long Beach ARCO Retirees; Oct. 9 he will address Los Angeles ARCO Retirees; Oct. 29 he will address members of the Valley Industry & Commerce Assn.; on Oct. 30 he will address ARCO's Civic Action Program; and on Nov. 1 he will address Young Executives of Amer. in Century City...

NEW JOBS, ACCOUNTS AND PERSONNEL NOTES.

Editor's note: Here's a brief update on some new personnel developments:

- Bob Schmidt, former Capitol bureau chief of the Long Beach Press Telegram, has joined the PBN Company's Sacto office. He was with Woodward & McDowell prior to joining PBN...

- L.A. consultant Jill Barad is handling campaign management for L.A. Co. assessor candidate Kenneth Hahn (no relation to the L.A. County supervisor)...

- Barbara Johnson, AG John Van de Kamp's former top deputy and campaign chair, is now helping U.S. Rep. Barbara Boxer (D-S.F.) in So. Calif. Boxer is exploring a run for the U.S. Senate in 1992...

- Former L.A. Daily News ME Doug Dowie has joined the staff of Assemblyman Richard Katz (D-Panorama City)...

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